



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,523	09/26/2003	John M. Walker	112558-1013	1206

7590 04/30/2004

MICHAEL E. MARTIN
GARDERE WYNNE SEWELL LLP
1601 ELM STREET, SUITE 3000
DALLAS, TX 75201

EXAMINER

GORMAN, DARREN W

ART UNIT	PAPER NUMBER
----------	--------------

3752

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/672,523	WALKER, JOHN M.	
	Examiner	Art Unit	
	Darren W Gorman	3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 9-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed on December 29, 2003 is hereby acknowledged and has been placed of record. Please find attached a signed and initialed copy of the PTO 1449.

Ex parte Quayle

2. This application is in condition for allowance except for the following formal matters:

Claim Objections

3. Claims 9-18 are objected to because of the following informalities:

Regarding claims 9, and 15-18, the recitations with regard to the “first twist and lock bayonet type connector / first bayonet connector” and the “second twist and lock bayonet type connector / second bayonet connector” are not consistent with the specification. Specifically, the recitations in claims 9, 16, and 18, regarding the “first twist and lock bayonet type connector / first bayonet connector” match the description of the second bayonet connector as disclosed in the specification (see paragraph [0015]). Likewise, the recitations in claims 15 and 17 regarding the “second twist and lock bayonet type connector / second bayonet connector” match the description of the first bayonet connector as disclosed in the specification (see paragraph [0014]).

In addition, the recitations in claims 9, and 15-18 with regard to the “first collar” and the “second collar” respectively for each of the recited “first twist and lock bayonet type connector / first bayonet connector” and “second twist and lock bayonet type connector / second bayonet connector” are also not consistent with the specification. Each “first collar” recited in the above

Art Unit: 3752

claims matches the description of the second collar of each respective connector in the specification, and each “second collar” recited in the above claims matches the description of the first collar of each respective connector in the specification (see paragraphs [0014] and [0015]).

Further, regarding claim 12, the recitation “said pump” lacks antecedent basis.

Further, regarding claim 17, line 2, [statute] should be replaced with --statue--.

Further, regarding claim 19, line 4, [statute] should be replaced with --statue--.

Further, regarding claim 19, line 8, [statute] should be replaced with --statue--.

Appropriate correction is required.

Despite the objections to the claims, one of ordinary skill in the art would understand the metes and bounds of the claimed subject matter, in view of Applicant’s disclosure.

NOTE: The recitations in claim 19 regarding the “first bayonet connector” and the “second bayonet connector”, and their respective “first and second collars” ARE consistent with the specification. Applicant is cautioned when amending in response to this Office Action, to be sure that ALL claims presented are consistent with the specification.

Art Unit: 3752

Allowable Subject Matter

4. Claims 9-19 would be allowable if rewritten to overcome the above stated objections.

5. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US patents to Grady, Trucco, Gordon, Kaufmann, and Gruber are cited as of interest.

7. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W Gorman whose telephone number is 703-306-4205. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on 703-308-2087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3752

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Darren W Gorman
Examiner
Art Unit 3752

DWG 4/28/04
DWG
April 28, 2004

Michael Mar
MICHAEL MAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700